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**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** ED BIAGINI MINOR SUBDIVISION  
**PROJECT LOCATION:** LITTLE BROOK COURT  
SECTION 74 – BLOCK 1 – LOT 4  
**PROJECT NUMBER:** 08-04  
**DATE:** 27 FEBRUARY 2008  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF THE 2.68 +/-  
ACRE PARCEL INTO THREE (3) SINGLE-FAMILY RESIDENTIAL  
LOTS. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.  
(THIS APPLICATION REQUIRES A ZBA REFERRAL).

1. The property is located in the R-1 zoning district of the Town. The bulk information shown on the plan requires several corrections, as follows:
  - Required frontage is 70 ft.
  - Provided side yard for lot #1 is indicated as 25 ft.; however, the plan on sheet 2 depicts a setback of 20 ft. (It also appears this is an existing foundation. Was the foundation already constructed in a location contrary to the zoning law???)
  - Provided frontage value for lot #1 is incorrect based on the metes and bounds on the plan.
  - Applicant's surveyor should check value indicated for provided lot width for proposed lot #2.
2. A referral to the Zoning Board of Appeals is necessary at this time. *It is my recommendation that the Board deem the application "incomplete"*, since the Board can take no action on this application until such time that all necessary variances are obtained.

At minimum, it appears that gross lot area and net lot area variances are required for all three lots, with lot width variances needed for lots 1 & 2, and side yard variances needed for lot #1.

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3. The new Subdivision regulations adopted in March 2004 include a provision under Section 257-25 (B) which requires that all applications demonstrate that each lot is to be "buildable". Drainage and septic conditions will affect this ability. After the applicant is finished with the ZBA, this will need to be verified on subsequent submittals.
4. The applicant is reminded that soil tests (minimum two percolation and one deep test for each lot), in support of the sanitary disposal system designs, must be witnessed by a representative of our office. Applicants are advised that the design professional preparing the sanitary disposal system designs (or a qualified/authorized representative) must be present to oversee the testing and record all results.

In addition to this aspect of the sanitary system designs, the applicant should note that well locations must be depicted for the adjoining lands n/f Anderson and Radford.
5. The plan depicts existing drainage improvements and proposed easements thru all three lots. The Town Highway Superintendent and I have discussed the same, and he recommends that that Planning Board require a private maintenance declaration for these improvements (he indicates no desire to add maintenance of this private system to the Town's obligations).
6. The application involves single-family development with disturbance less than a total of five acres; as such a full SWPPP is not required. The plans should include soil erosion and sedimentation prevention measures. A plan view of the provisions, and appropriate details should be provided as part of the subdivision plan submittal.
7. The Planning Board should defer any SEQRA activity until such time that the applicant returns from the Zoning Board of Appeals.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Engineer for the Planning Board